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27           UNITED STATES DISTRICT COURT  
28           NORTHERN DISTRICT OF CALIFORNIA  
29           SAN FRANCISCO DIVISION

30           Ilsa Saravia, as next friend for A.H., a  
31           minor, on behalf of herself individually and  
32           others similarly situated,

33           Plaintiff,

34           v.

35           William Barr, Attorney General, et al.,

36           Respondents/Defendants.

37           COOLEY LLP  
38           MARTIN S. SCHENKER (SBN 109828)  
39           NATHANIEL R. COOPER (SBN 262098)  
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56           NEW YORK CIVIL LIBERTIES UNION  
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66           Case No. 3:17-cv-03615-VC

67           **STIPULATION AND [PROPOSED]  
68           ORDER RE STAY OF  
69           PROCEEDINGS**

## RECITALS

WHEREAS, the Parties have held preliminary discussion to determine whether it is advisable to enter into mediation with the goal of reaching a mutually agreeable settlement of this case; and

WHEREAS, in furtherance of these discussions, Plaintiff has agreed to narrow her discovery requests to Defendants, and Defendants have begun responding to these narrowed discovery requests; and

WHEREAS, the Parties believe that for mediation to be successful and to promote judicial economy, it would be advantageous for the Court to defer ruling on Defendants' pending Motion to Dismiss the Second Amended Petition (ECF No. 172) ("Motion to Dismiss"), stay litigation proceedings in the case, and refer this case for mediation for purposes of attempting to resolve this matter.

## STIPULATION

It is hereby agreed between the Parties, subject to the Order of the Court, as follows:

1. The Parties jointly request that the Court defer ruling on the Motion to Dismiss unless one or more of the Parties informs the Court that it or they wish to withdraw from mediation and have the Court rule on the Motion to Dismiss.
2. During the time this Stipulation remains in effect, the case, including Plaintiff's discovery requests and Defendants' responses and objections, will be stayed except for (a) the narrowed agreed-upon discovery requests to which the Parties have agreed that Defendants will respond prior to mediation; (b) proceedings, if any, to compel responses to such discovery requests; (c) mediation conducted by a United States Magistrate, or such other neutral person upon whom the Parties may hereafter agree; and (d) any proceedings concerning implementation or enforcement of the Court's preliminary injunction.

**STIPULATION AND [PROPOSED] ORDER RE  
STAY OF PROCEEDINGS  
CASE No. 3:17-cv-03615-VC**

1       3. Any Party may at any time withdraw from this Stipulation, at which time that Party (or the  
2       Parties jointly) may so inform the Court and request that the Court rule on the Motion to  
3       Dismiss, and the stay of proceedings will automatically end.

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5       Dated: March 7, 2019

COOLEY LLP

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*/s/ Martin S. Schenker*  
7       Martin S. Schenker

8       Dated: March 7, 2019

9       AMERICAN CIVIL LIBERTIES UNION  
10       FOUNDATION OF NORTHERN CALIFORNIA

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*/s/ William S. Freeman*  
12       William S. Freeman

13       Dated: March 7, 2019

14       AMERICAN CIVIL LIBERTIES UNION  
15       IMMIGRANTS' RIGHTS PROJECT

16       

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*/s/ Stephen B. Kang*  
17       Stephen B. Kang

18       Dated: March 7, 2019

19       LAW OFFICES OF HOLLY COOPER

20       

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*/s/ Holly S. Cooper*  
21       Holly S. Cooper

22       Dated: March 7, 2019

23       NEW YORK CIVIL LIBERTIES UNION  
24       FOUNDATION

25       

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*/s/Christopher Dunn*  
26       Christopher Dunn  
27       Attorneys for Petitioner/Plaintiff

28       Dated: March 7, 2019

29       UNITED STATES DEPARTMENT OF JUSTICE

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*/s/ Nicole N. Murley*  
31       Nicole N. Murley  
32       Counsel for Respondents/Defendants

[PROPOSED] ORDER

Upon the stipulation of the Parties, and good cause appearing, IT IS HEREBY ORDERED as follows:

1. The Court will defer ruling on the Motion to Dismiss (ECF No. 172) unless one or more of the Parties informs the Court that it or they wish to withdraw from mediation and have the Court rule on Defendants' Motion to Dismiss the Second Amended Petition.
2. The case will be stayed except for (a) the narrowed agreed-upon discovery requests to which the Parties have agreed that Defendants will respond prior to mediation; (b) proceedings, if any, to compel responses to such discovery requests; (c) mediation conducted by a United States Magistrate, or such other neutral person upon whom the Parties may hereafter agree; and (d) any proceedings concerning implementation or enforcement of the Court's preliminary injunction.
3. The stay of proceedings will automatically end at such time, if applicable, if one or more of the Parties informs the Court that it or they have withdrawn from this Stipulation.

Dated: March 8, 2019



Vince Chhabria  
United States District Judge

ATTESTATION

Pursuant to Civil L.R. 5-1(i)(3) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from the other signatories.

Dated: March 7, 2019

*/s/ William S. Freeman*  
William S. Freeman  
Attorneys for Plaintiff